



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

In re the application of:

LUBITZ et al.

Art Unit: 1636

Application Number: 09/147,693

Examiner: W. Sandals

Filed: February 17, 1999

Atty. Dck. No. 100564-09005

For: NEW SYSTEMS FOR REGULATION OF GENE EXPRESSION

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Commissioner for Patents
Washington, D.C. 20231

November 22, 2002

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated May 22, 2002 finally rejecting claims 38-48 and 50-76. Claim 49 was allowed.

A timely response to the final rejection was filed on October 28, 2002 with a three-month Petition for Extension of Time. Therefore, no further extension fees are due in this application.

The \$160.00 small entity Appeal Fee is attached.

11/25/2002-SSÉSHE1 00000009 09147693

01 FC:2401

160.00 OP

Please charge any fee deficiency or credit any overpayment to our Deposit

Account No. 01-2300, referring to client-matter number 100564-09005.

Respectfully submitted,



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